

Cabinet referrals for Council
18 April 2018

CA/034/18 TWO WATERS MASTER PLAN

Decision

RESOLVED TO RECOMMEND

That the Two Waters Masterplan Guidance (as set out Appendix 1 of the report to Cabinet) be adopted as a Planning Statement until the new Dacorum Borough Local Plan is in place when it will be adopted as a Supplementary Planning Document.

Reason for decision

To review the Two Waters Masterplan Guidance and recommend to put forward the document for adoption by Council as a Planning Statement

Corporate objectives

Affordable Housing

The Two Waters Masterplan Guidance will help deliver affordable housing through development and sets out guidance for its delivery in accordance with DBC's Core Strategy policy CS19.

Building Community Capacity

The Vision for the Two Waters Masterplan Guidance centres on creating a sustainable community balancing national pressures for delivering housing and development with local needs and sets out guidance for developers and potential developers to regenerate the area and develop in a manner that builds local community capacity.

Delivering an Efficient and Modern Council

The Vision for Two Waters Masterplan Guidance sets out to deliver development that is modern and efficient for the enjoyment of those living and working in the Borough which will be enabled through the guidance provided for development coming forward in the area.

Ensuring Economic Growth and Prosperity

The Two Waters Masterplan Guidance sets out a Vision, Objectives and Guidance to steer development that ensures economic growth and prosperity through high quality mixed use development around transport hubs and in close proximity to the town centre, as well as the provision of improved infrastructure including transport. Community Infrastructure Levy (CIL) and/or S106 contributions will enable the provision of improved infrastructure and community facilities that facilitates economic growth and prosperity.

A Safe, Clean and Enjoyable Environment

The Two Waters Masterplan Guidance sets out a framework for the delivery of a safe, clean and enjoyable environment.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

The Masterplan will provide a framework which can be used to guide development in the area. It should enable a more consistent approach to decision making and thus avoid unnecessary appeals and legal challenges.

S.151 Officer:

No further comments to add.

Advice

Cllr Sutton introduced the report, which had been presented to Cabinet previously and the comments gathered have now been taken into consideration and incorporated into this report.

Cllr Sutton handed over to J Doe to provide an overview of the report. J Doe reminded Members that this covers an extensive area of the town, it covers 124 hectares of land, roughly in a triangle between the Plough roundabout and the two train stations, both at Boxmoor and at Apsley. The work goes back to late 2015 when the masterplan started to be drafted and in that time there have been a number of public engagements, including facilitated workshops, exhibitions and a general public consultation last year. DBC looked at a number of different scenarios for development within the area.

At the heart of the masterplan are 4 key sites, the first around the station and associated commercial property. The second is based around London Road; around the traffic light junction around the area where Aldi and the light industrial units are. Area three is the small piece of land just opposite the traffic lights on Boxmoor Trust land. There are a collection of sites making up site four at Two Waters Road, so the Magic Carwash down to Sunnyside Nursery, including the car dealerships and other land adjacent.

The consultation is extensive, it has raised a number of concerns from residents, which summarised, fall into concerns around; building heights, schooling provision and the future of the Sunnyside Rural Trust site and issues around traffic and air quality.

The building heights have been reviewed along with our consultants, looking at the viability advice and there has been a clear case to review the heights, particularly around the station sites. Members may recall that parts of that site were indicated for development to 8 storeys, and have been reduced to 6 in certain locations.

In terms of the school and the Sunnyside Rural Trust; suitable location for the school has not been identified, due to Council concerns over appropriateness and the issues for Hertfordshire County Council in finding an appropriate site to locate a school. This will therefore need to be resolved as the plan progresses; looking for opportunities over the coming months and years.

Members will note that many of the concerns were expressed that the Sunnyside Rural Trust would be removed from the area, but that is not the case, the site is there for a potential option for location, but as Members will know, the Council owns that site and will take a

decision about what will happen to that site, so hopefully we have been able to cover off those concerns quite effectively.

Traffic – there is a traffic analysis and the developments will have a traffic impact, which will have to be assessed in detail as applications come forward. Key thing is that the majority of the area is in private hands, we own a couple of sites (Magic Carwash & Sunnyside site). It will depend on those land owners to bring forward proposals in due course.

The critical point is, this is an area in need of regeneration and whether we have a plan or not, development pressures will come to the Council, and from an officer perspective we think that the best thing to recommend to you is that you have a plan with which to steer those pressures as they come forward.

The recommendation tonight is that you accept the revised Masterplan which is set out in the report, and that it goes forward to Full Council for final approval.

The report went to SPAR Overview & Scrutiny Committee in October, there were some concerns raised which are referred to in the report, Cllr Anderson as the Chairman of that Overview & Scrutiny Committee addressed the Cabinet.

Cllr Anderson thanked the Chair and stated that there is no issue with the fact that we have got to have a plan; what the purpose of the plan is; and what we are trying to achieve with it. But, speaking on behalf of the committee, they did have quite a few concerns, some of which were paraphrased in the referral. However some were actually said at the meeting and not included in the referral though J Doe and Cllr Sutton were both at the meeting and would have picked up these concerns. He was not convinced that the revised draft, under consideration at this meeting, really covers the issues. He referred to the report and what concerned him was trying to 'park' to one side transport as an issue and saying it will be picked up at the application stage, which in his opinion is too late. He added that we have a very serious problem with traffic and highways in Apsley, as the Southern gateway to Hemel Hempstead. The road cannot be extended or widened: it is the only means of access to and from the town through a substantial community to the South of the Town; who don't have access to public transport; and that is what has led to the situation of the road being very heavily congested at all times of day. His concern is that further development would actually exacerbate that problem, no matter how hard one tries to restrict car ownership and usage. Regarding the concerns over air quality: we have two out of the three air quality problem locations in the Borough in this triangle, again, his committee was concerned that the issue hadn't really been covered adequately in the proposed plan. Finally, as a personal comment, through participation in previous local planning enquiries, in his experience Local Plan Inspectors have agreed that site 3, on the corner of the traffic lights at Two Waters, was a key green gateway entrance to the town and he personally would have a very serious problem with development occurring on that land. He went on, development of this site is unrealistic and it is not deliverable, which is one of the key indicators we are supposed to be looking at, because it's against Boxmoor Trust's charter. He personally has a specific issue with developing that site, however he was there primarily on behalf of the committee and the concerns the committee had.

Cllr Birnie absolutely concurred with Cllr Anderson regarding transport and his other views. He pointed out that, in para 5.2 on Page 21, there is a statement that there will be

consultation with Herts County Council on the Growth and Transport Plan. He enquired, when? Since it so radically affects all the planning decisions that DBC make; particularly in this area where it is so crucial; and as an ordinary member of the Council, he would like to be a part of whatever consultation takes place, preferably before we have to decide any more major issues or planning applications in this particular area.

J Doe advised that we are not able to give an answer on that as the County Council do not have a programme at the moment. Work on the Growth & Transport Plan has actually stalled at the current time and they have had to rethink it as it covers a wider area; Watford & St Albans as well as Dacorum; and it has been impacted by the recent decision not to fund the Metropolitan Line extension. They are committed to doing a new Growth and Transport Plan, we just have to wait for the new timetable.

The Chair confirmed there was quite a lot in the transport plan about the Metropolitan Line extension that went to the board for consideration last Thursday afternoon. It is very detailed and quite clear from their perspective that it is never going to happen and they are already talking about reallocating the funding towards other schemes (that might have had funding taken away from them to fund the extension, so, in their view, the County should be re-writing that transport assessment on the basis that it will not go ahead. This makes a good deal of difference as it has impacted the viability of other developments.

Cllr Marshall advised that she has a number of different unrelated comments concerning the Plan. She recalled that at the October scrutiny committee every member, bar one, was very vocal about their concerns on the impact of traffic and issues arising from that the availability of parking. It is very difficult to specify what should be done in this sort of document, but she confirmed what Cllr Anderson has said about the strength of feeling of that scrutiny committee. She drew attention to Page 66, developing sustainable travel plans, and the fact that individual developments will be required to deliver sustainable travel plans: She hoped that travel plans will be required as part of the planning process. She hoped that there is an expectation that these travel plans will be required for nearly all of the planning applications. She drew attention to the bottom of Page 326 where there was a comment about the bridge widening on Durrants Hill Road, showing the wrong bridge. In the actual Masterplan she cannot see the Durrants Hill Road at all. The plan doesn't go that far, I am a bit thrown by that comment.

She requested clarity on the number of bridges alluded to in page 75, 78, 81 of the Plan, is that a total of 2 bridges? The Chair asked, if one of the bridges is the one on Two Waters Road, by B&Q? Cllr Marshall advised that page 75 refers to the bridge on Station Road.

J Doe confirmed that Station Road suggestions are more about improving access for pedestrians and cyclists and getting off the highway onto the towpath, it is difficult to navigate at the moment.

Cllr Marshall drew attention to the bottom of page 281 and 282, and read out the comment 'tall buildings at gateway locations could create a fortress appearance to the town, rather than a taller block there should be more creativity in the structure design'. She appreciated that in some locations it is appropriate to have taller blocks, but her concern is the point regarding the fortress appearance. What is the position of the Council if, say, five different

applications come in from five different developers or sites and they are all proposing tall blocks, which if all were built would create the fortress appearance. Would the Council have a legitimate ground to refuse such a tall block on the 4th or 5th application on the basis of the collective mass of those tall blocks giving the fortress appearance? J Doe confirmed that the Council would have ground to refuse. He added that part of having the Masterplan is to try and get sites combined so that you can design sites as a whole, perhaps permitting a focal point for development and then lower concentrations in other areas. The council could proceed as Cllr Marshall is indicating as it will have a design analysis in each case.

Cllr Elliott commented that one of the main things that concerns residents in the area is parking. With new developments, can we impose a minimum parking spaces per flat or bedroom? J Doe responded that we can make those requirements. Our existing plan incorporates a parking standard to work to. There is a separate review on this which will be going to SPAR Overview & Scrutiny Committee, so there will be a fresh set of parking standards across Dacorum. In terms of this development, the brief that has been given to consultants around viability is to assume at least a 1:1 parking provision basis; any 1 unit would have at least 1 parking space. Cllr Birnie commented that his understanding is that our current parking standards were maximum standards? J Doe responded that he is correct: that was the policy of the previous government, however current government policy has changed so they wouldn't necessarily be applicable now as they are not supported by national policy so DBC have flexibility to make them minimum standards.

Cllr Harden commented that he was grateful for the consultation on this, especially the concerns from local residents on heights of buildings. He put an opposing view that the taller we make them, the more green space we can save, but he appreciated that you have taken the concerns of residents on board and put in a reduced height. Cllr Harden if a record is kept of the postcodes of those people that have been consulted? S Jayasinghe advised that if consultees provided postcodes then we still hold the information, but for example, at the workshop where consultees registered by email, that information has not been captured.

Cllr Sutton commented that this is a very important area within our local plan; he accept it is a restricted area and that there are some difficulties but it could be an area of exciting developments given the will and with guidance from J Doe's team. He recommended that Cabinet accept the recommendation leading to a good gateway from the West into the town. He is aware that we have issues such as transport, air quality and parking, but let's move forward with this and turn the area into something we can be proud of.

Cllr Tindall advised that like Cllr Birnie he is concerned regarding parking and asked, assuming that if this becomes a plan and the Council agree it, does it mean that whatever parking limits we have set out for each of the sites, the developers must then adhere to them? Is it the fact that we have got the parking standards and minimums in a masterplan?

J Doe clarified that parking standards are set out elsewhere, but we are able to ask for a level of parking at application.

The Chair commented that in terms of consultation, our expectations of the number of homes that can be provided in that area have gone down by approx. 700 having listened to the concerns residents had about high buildings etc.

In terms of transport, there is always going to be congestion on the network. With regard air quality, in the longer term this will be dealt with in changing the types of vehicles we drive and that won't be an immediate change, it will take a generation to change such air quality issues. The issue around parking, there appears to be some misunderstanding about what we were saying about our policy. At the moment we do apply our maximum policy and in his opinion we are too soft our resolve to stick to that standard and give in to lower numbers too easily. This masterplan will not alter that, but in terms of taking forward our local plan we need to be more robust about our parking standards. Not being able to park anywhere near your home causes great frustration. We should also be flagging up, where development takes place in areas we already have issues, we should take those issues into account when we are developing the area. If we apply a universal standard across the piece we could be potentially adding to those issues and growing frustration with residents by not tackling the issue, we need to be robust when forward planning.

The Chair asked if Members were happy to support the document. Members agreed and recommended the Plan to Council for adoption.

Voting

None.

CA/035/18 SENIOR PAY POLICY

Decision

RESOLVED TO RECOMMEND;

- 1. That the Council adopt the Pay Policy for 2018/19 as set out in appendix 1 of the report to the Cabinet.**
2. That any amendments to the Pay Policy throughout the financial year 2018/2019 which are required as a result of legislative changes be approved by the Chief Executive in conjunction with the Council's Monitoring Officer.

Reason for decision

To set the Council's pay policy for the financial year 2018/19, as required by Section 38 of the Localism Act 2011.

Corporate objectives

The Council's policies in respect of pay and terms and conditions support all five of the Council's strategic objectives as part of ensuring that services to the community can be delivered to the required standards and with due regard to economy, efficiency and effectiveness.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

The Pay Policy Statement meets the Council's statutory requirements under Section 38 of the Localism Act 2011 and is therefore suitable for approval by Cabinet and Council.

S.151 Officer:

No further comments to add to the report.

Advice

Cllr Harden introduced the report as the annual policy that has to be brought to Members. There are no major changes this year, though a few minor amendments were set out by M Rawdon.

M Rawdon advised that the changes from last year's Senior Pay Policy are as follows;

- The Council's lease car scheme is being replaced by a car salary sacrifice scheme which is now open to all employees, rather than selected few.
- The 3 essential car user allowances will be discontinued and the previous eligible staff will receive a consolidated increase in their pay equivalent to this amount. The lease car allowances will be consolidated into basic pay for senior officers as of October 2020.
- The redundancy payments have been amended in relation to the changes, reducing from 2.2 weeks to 1.5 weeks per year of service based on contractual weekly pay.
- We have also included the gender pay requirement, all employers with over 250 staff are required to publish this, and for clarity the gender pay gap is the percentage difference between average hourly earnings for men and woman. The Council's gender pay gap is detailed in the report, the mean gender pay gap between males & females was 1% and the medium was 8% in favour of women being paid more than males. To conceptualise this, some companies are reporting women are earning 30-40% less than men. Appendix 3 of the report to Cabinet provides some narrative on the gender pay gap. Built around 4 key areas; strategy, recruitment & selection, terms & conditions and the support we provide. A detailed action plan will form part of the people strategy going forward into next year to ensure we continue to support gender parity across all aspects of employment.

The Chair referred to the gender pay gap and asked, with regard Pg 30, Item 14, the figures in 14.1; the 1% pay gap between male and female. It would appear in the first chart that males are only marginally more than females, but in the second chart that switches round to females earning more and makes reference to 8%, but the difference between those two figures is probably more like 15%, so M Rawdon was asked to clarify those figures.

R Smyth clarified, that these are the 'mean' and 'medium' figures.

Agreed by Members and referred to Council for consideration.

Voting

None.

Decision

RESOLVED TO RECOMMEND;

- 1. That the Council work with the other South West Herts Authorities (Three Rivers, Watford, Hertsmere and St. Albans Councils) and Hertfordshire County Council to prepare a Joint Strategic Plan.**
- 2. That a Memorandum of Understanding be progressed as the framework for governing future joint working arrangements and for the final terms of this Memorandum of Understanding to be delegated to the Assistant Director – Planning, Development and Regeneration, in consultation with the Planning and Regeneration Portfolio Holder, for agreement.**
- 3. That officers progress work on the joint plan and report this to Cabinet and Council for approval at key stages.**
- 4. That the arrangements for the appointment of staff to be jointly managed between the five Local Authorities and to delegate to the Assistant Director – Planning, Development and Regeneration in consultation with the Corporate Director Finance and Operations and the Assistant Director Performance, Policy and Innovation to make the necessary arrangements and agreement with the other Local Authorities for recruitment, appointment, joint management and sharing of costs and liabilities.**
- 5. That the support of Hertfordshire County Council and the Hertfordshire LEP for this process be noted.**
- 6. That the recruitment arrangements for an urban design officer, shared with St Albans City and District Council, to provide specialist advice be commenced.**

Reason for Decision

To seek support from Members to proceed with the preparation of a South West Herts Joint Strategic Plan and for governance arrangements to be put in place to enable this work to move forwards.

Corporate objectives

The Joint Strategic Plan would set the context for the Council's own Local Plan and together both documents would help support all 5 corporate objectives:

- *Safe and clean environment:* e.g. contains policies relating to the design and layout of new development that promote security and safe access;

- *Community Capacity*: e.g. provide a framework for local communities to prepare area-specific guidance such as Neighbourhood Plans, Town / Village Plans etc;
- *Affordable housing*: e.g. sets the Borough's overall housing target and the proportion of new homes that must be affordable;
- *Dacorum delivers*: e.g. provides a clear framework upon which planning decisions can be made; and

Regeneration: e.g. sets the planning framework for key regeneration projects, such as Hemel Hempstead town centre and the Maylands Business Park.

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

The Memorandum of Understanding (MoU) will be the key document to agree the governance arrangements to take the plan forward but officers will need to ensure that it does not fetter the Council's own decision making processes.

The Statement of Common Ground will set the framework and agree key principles and priorities for the Joint Strategic Plan and therefore this should be approved by Cabinet and Council

S.151 Officer:

The Service will need to ensure that the financial risks to the Council of appointing shared staff are adequately mitigated. This will require a robust MoU that provides for the equitable sharing of potential redundancy costs and agreement on the way forward in the event that no funding is allocated by MHCLG beyond that already awarded. This process will need to involve both the Legal and Finance teams.

Advice

Cllr Sutton introduced the report, the intention is to create a Memorandum of Understanding so all five authorises in South West Herts work together to strengthen their own local plans.

It is brought before Cabinet due to the timetable, we are the last authority to consider this at Cabinet level and it has been adopted and approved by the other four Councils already. Cllr Sutton handed over to J Doe.

J Doe added that this is a new high level plan for the five Council area. This report is the first steps in taking joint working between the five Councils and the County Council to prepare a joint plan. The scheme meets new requirement for Council's within a defined Housing area to have a statement of common ground for the proper planning of that area. We have had the Joint Leaders and Chief Executives workshop which was held at DBC on 23 January, organised by Catriona Odell who is advisor to government from the Planning Officers Society that has led to the report coming forward. He also drew Members' attention to the Council's success in drawing down funds from the Planning Delivery Fund, our five Council area got its full award and the feedback we have had from government is that the very best Council's got their award, so this will fund 2 posts moving forward to look at creating a plan and looking at strategic sites when the time is right. The report refers to engagement of East of England Local Government Association, with whom DBC Senior Officers have had discussions about some support from them for the process and we have

now received a proposal for the five authority group to be considered regarding work to be done with Members.

Cllr Anderson referred to the requirement to do this, but expressed personal concern as he feels the strategic market assessment was flawed. He is concerned about developing that kind of working any further when it has been flawed thus far, but it remains purely a concern and he can understand the requirement to do it. He hopes DBC will retain absolute autonomy over our Housing figure; that would be his 'red line'.

J Doe responded, to put Cllr Anderson's mind at rest; we have been doing the strategic housing market assessments and whichever view you take about the integrity of that work, the government is now working to a standard methodology. The Government is saying that the five Council area is what should make up our area for common ground for all planning matters, not just Housing but all planning infrastructure matters within that area.

Cllr Birnie asked, does that leave any scope for reallocation of the actual figures within the greater area? J Doe confirmed yes, there is scope for discussion between the five Council's as the plan progresses. The plan will only move forward with the agreement of all Council's and we will be doing our own individual local plan, which the Council will have full sovereignty over as well. As it stands, none of the five Councils have allocated any land, we are all at similar points in our plan making processes.

Cllr Birnie referred to The Crown Estate along the M1 as an example, which currently belongs to St Albans, could that be renegotiated? J Doe advised that one possible outcome would be to identify strategic locations for a new development, so would have to look at a variety of factors about suitability and so on which cannot be pre-judged until discussions have taken place.

Cllr Marshall suggested that Hertfordshire County Council should be added to recommendation 1 (agreed).

The Chair commented that the development numbers are the most contentious issue. These five authorities are all struggling to achieve the numbers, and the other may feel that Dacorum has got the easier ride in terms of its land capacity. Whether you are prepared to release green belt is another argument, but the fact that we have got it to release, some would feel, gives you the capacity for numbers. He has made clear that as far as he is concerned, sovereignty of the numbers and over the plan remains with DBC, (similarly for the others). The benefits for this scheme is that the infrastructure issues, the major highway implications, health care, A41 doesn't stop at the Watford/Three Rivers boundary; the problems of moving around South West Hertfordshire don't stop at the boundaries, and what we hopefully will be able to achieve between the five collectively is to have a plan which addresses some of those infrastructure issues and makes our ability to get funding for some of those more realistic if we do it as a combination of five with support of the County Council.

Recommendations agreed.

Voting

None.

CA/039/18 REVIEW OF HRA BUSINESS PLAN

Decision

RESOLVED TO RECOMMEND

That the Council approve

- 1. The updated Housing Revenue Account Business Plan.**
- 2. The revised development programme budgets as set out in Section 8 of the report; and the budget for the Martindale Development in Appendix 2 of the report to the Cabinet.**

Reason for decision

To review and approve the Annual Review of the Council's Housing Revenue Account Business Plan.

Corporate objectives

Delivering Affordable Housing

Monitoring Officer/S.151 Officer comments

Monitoring Officer:

The annual review provides a robust mechanism to monitor the business plan to ensure that it takes account of changes in government policy, law and the economy and therefore meets the Council's statutory requirements.

S.151 Officer:

Over the coming months the Council should focus on the medium-term development opportunities that will arise following MHCLG clarifying their approach to potentially lifting the borrowing cap. This will need to combine the updated trend for RTB sales and the increased scope for internal use of the 141 receipts.

The development budgets identified in Appendix 2 represent a re-profiling of previously approved budgets.

Advice

Cllr Griffiths introduced the report and advised it is the annual report. The 1% reduction in rents is incorporated into the money we have left to spend. She added that we have another year left on that with no sign of what the policy will be after that. Cllr Griffiths asked E Brooks to add any further comments.

E Brooks highlighted to Members that this is the Annual Review to the Business Plan, the 5th review that we have carried out since the introduction of self-financing in 2012 and drew attention to Section 3.2 of the report highlighting the good work that we have been able to do since introduction of self-financing and the additional resources that the Housing Revenue had. DBC have made some real differences to our tenants homes in terms of improvements

and the latest calculation from our asset management system around decency levels of our stock is that we are over the 90% level now.

He continued to highlight a couple of issues around Section 4, in particular two areas of government policy, one being the sale of high value Council homes which still hasn't been rolled out to all authorities. The advice we've had this year is to not make any assumptions in the business plan for any amount of money we would have to generate under this policy but we will need to keep an eye on this. With regard the issue of Universal Credit; whilst this is still an unknown we have made some assumptions having taken advice, in terms of increasing our bad debt provision. We continue to closely monitor the plan throughout the year with Finance. Another point to raise is in Section 7.2 of the report, highlights the current headroom in terms of borrowing. There isn't currently money in the business plan and that is the main impact of the 1% rent reduction, which has affected our income over a length of time by over £30m but as you can see from the business plan we have headroom, as it stands we could borrow £7.8m and that rises to £22m by the end of year 5, this year would be the time for discussions to start about that. Government have been talking around potential for LAs to raise the borrowing gap and we have made initial contact about that but are waiting to hear back, it is something we will need to consider if we want to continue our new build programme after the next phase. The two tables in Section 8.3 give a summary of what we are left with in terms of the investment programme over the coming years, we still have a healthy investment programme in terms of our current stock.

MGaynor added that whilst there is some difficult news in here, there is a lot of good news as well in terms of the amount of money we are able to invest. To clarify, the government indications of future rent policy are from 2021 are that it will not be a reduction, but an increase of CPI inflation + 1%, which will stabilise the ability to invest in our stock and continue with new build.

Recommendations agreed.

Voting

None.